

Northern District of Georgia

Gainesville Division

In Re: Debtor(s)  
**Matthew Michael McCarthy**  
4593 Summerset Drive  
Gainesville, GA 30507

Case No.: **11-20525-reb**  
Chapter: **13**  
Judge: **Robert Brizendine**

**xxx-xx-9021**

## ORDER CONFIRMING PLAN

The Chapter 13 Plan of Debtor or Debtors (hereinafter "Debtor") has been transmitted to all creditors. Debtor's plan, or plan as modified, satisfies the requirements of 11 U.S.C. § 1325.

Accordingly, it is ORDERED that

- (1) The Chapter 13 plan is confirmed;
- (2) Property of the estate shall not revert in Debtor until the earlier of discharge of Debtor or dismissal of the case, unless the Court orders otherwise;
- (3) A creditor must have a proof of claim filed with the Clerk of Court in order to receive a distribution under this plan, without regard to any other provision of the plan; and
- (4) Because no party in interest has filed a request for an order of dismissal pursuant to 11 U.S.C. § 521(i)(2) and because the parties in interest should not be subjected to any uncertainty as to whether this case is subject to automatic dismissal under § 521(i)(1), Debtor is not required to file any further document pursuant to § 521(a)(1)(B) to avoid an automatic dismissal and this case is not and was not subject to automatic dismissal under § 521(i)(1). This does not prevent any party in interest from requesting by motion that Debtor supply further information described in § 521(a)(1)(B), and this does not prevent the Chapter 13 Trustee from requesting by any authorized means, including but not limited to motion, that the Debtor supply further information.

The Clerk is directed to serve a copy of this Order on the Debtor(s), the Attorney for the Debtor(s), the Chapter 13 Trustee, all creditors and other parties in interest.

**IT IS SO ORDERED.**



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Robert Brizendine  
United States Bankruptcy Judge

Dated: May 18, 2011